

Please cancel claims 25, 27, 35, 36, 39 and 40.

Please amend claim 24 as follows:

4 ~~24~~ (Amended) A method of insuring a vehicle operator for a selected period based upon operator driving characteristics during the period, comprising steps of:  
generating an initial operator profile;  
monitoring operator driving characteristics during the selected period; and  
deciding [terms of the insurance policy] a cost of vehicle insurance for the period based upon the operating characteristics monitored in that period.

### REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's Action mailed March 18, 1999. Reexamination and reconsideration of the application, as amended is respectfully requested.

#### The Examiner's Action:

The Examiner has noted several informalities with regard to the specification and amendments and associated lack of antecedent support for associated rejected claims. All matters with regard to informality and indefiniteness are believed corrected in accordance with the comments of the Examiner. The Examiner's assistance in this regard is gratefully acknowledged.

Certain of the claims were rejected for nonstatutory double patenting, or anticipation in view of two particular cited references. Certain of these claims (i.e., 25, 26, 30, 31, 32, 37 and 38) were indicated to be capable of being put into condition for allowance by the filing of a terminal disclaimer to the term of U.S. Patent No. 5,797,134.

For those claims that the Examiner has rejected for anticipation, and which have not been canceled above, applicants respectfully submit that the Examiner has failed to appreciate certain novel features of the invention which are believed to patentably distinguish the invention from the cited references.